

# **Exhibit 5**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

\_\_\_\_\_  
WAYMO LLC, )  
 )  
Plaintiff, )  
vs. ) Case No.  
 ) 17-cv-00939-WHA  
UBER TECHNOLOGIES, INC.; )  
OTTOMOTTO, LLC; OTTO TRUCKING LLC, )  
 )  
Defendants. )  
 )  
 )  
 )  
\_\_\_\_\_ )

HIGHLY CONFIDENTIAL--OUTSIDE COUNSEL'S EYES ONLY  
VIDEOTAPED DEPOSITION OF  
OGNEN STOJANOVSKI, ESQ.  
San Francisco, California  
Thursday, July 20, 2017  
Volume I

Reported by:  
MARY J. GOFF  
CSR No. 13427  
Job No. 2663397  
PAGES 1-321

1 copy. So what is your relationship to Sandstone 09:16:48  
2 Group, LLC? 09:16:49  
3 A I'm its manager and general counsel. 09:16:51  
4 Q When did you become Sandstone Group, LLC's 09:16:54  
5 manager and general counsel? 09:16:56  
6 A At its formation in the summer of 2012. 09:16:59  
7 [REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] 09:17:15  
11 Q So that's your -- that's your -- 09:17:16  
12 A That's my personal residence, and I have a 09:17:18  
13 home office there as well. 09:17:20  
14 Q I would like to direct your attention 09:17:22  
15 to -- let's see. It's the "Definitions" page. If 09:17:25  
16 you could turn to -- it's -- it's numbered "No. 1." 09:17:31  
17 A Yeah. 09:17:39  
18 [REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED] 09:17:48  
23 [REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED] 09:17:55



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\_\_\_\_\_

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1 [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] 09:23:37  
3 [REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
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[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED] 09:24:00  
12 Q Directing your attention to the next 09:24:07  
13 definition here on this Subpoena to Sandstone, 09:24:12  
14 "Narwhal" means Narwhal Energy, LLC. 09:24:15  
15 Do you see that? 09:24:19  
16 A Yes. 09:24:20  
17 [REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED] 09:24:33  
20 Q Does Narwhal Energy, LLC have any 09:24:39  
21 employees? 09:24:43  
22 A No, it does not. 09:24:43  
23 Q Does it have any officers? 09:24:44  
24 A I am the manager. That qualifies as an 09:24:51  
25 officer. I'm the manager of Narwhal. 09:24:55

[illegible]

1

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

09:32:51

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[REDACTED]

[REDACTED]

09:33:58



1 [REDACTED] 09:34:03

2 [REDACTED]

3 [REDACTED] [REDACTED]

4 [REDACTED]

5 [REDACTED] 09:34:12

6 [REDACTED] [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED] 09:34:17

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 Q Did you ask John Gardner why he asked you 09:35:00

21 to be the manager of Sandstone Group? 09:35:04

22 A I did not ask John Gardner why he chose me 09:35:10

23 to be the manager of Sandstone Group. 09:35:14

24 Q Do you know why he chose you to be the 09:35:17

25 manager of the Sandstone Group? 09:35:19

1 Sandstone Group, right? 09:37:48

2 A I had not met John Gardner before he 09:37:48

3 called me. 09:37:50

4 Q So -- so my question is: Why -- why did 09:37:51

5 he think to call you? 09:37:54

6 MR. SAWYER: Objection, form. 09:37:56

7 MS. RAY: Join. 09:37:58

8 A He told me that he had gotten my name from 09:38:02

9 Anthony Levandowski. 09:38:06

10 Q And what else do you remember about that 09:38:11

11 conversation when he called you? 09:38:14

12 A He called me to tell me that he was in the 09:38:15

13 process of forming an investment company and asked 09:38:20

14 if I would be interested in being his manager. That 09:38:26

15 was the gist of the first conversation. 09:38:30

16 [REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED] 09:39:07

1 [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] 09:39:36  
10 [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] 09:39:43  
12 Q Was that conversation in person or over 09:39:46  
13 the phone? 09:39:48  
14 A I think it was in person. 09:39:51  
15 Q Where did that conversation take place? 09:39:54  
16 A It took place in Berkeley, California. 09:39:58  
17 Q Why in Berkeley? 09:40:07  
18 A I'm trying to remember. It was either at 09:40:08  
19 his house or at the initial offices of Odin Wave, 09:40:11  
20 which is 2201 Dwight Way. 09:40:15  
21 THE COURT REPORTER: Of? 09:40:17  
22 A Huh? It was either his -- 09:40:20  
23 THE COURT REPORTER: It was? 09:40:20  
24 A -- Odin Wave, O D I N W A V E, which is 09:40:20  
25 2201 Dwight Way, in Berkeley. 09:40:26

1 Q (BY MR. JUDAH) Has Anthony ever -- 09:40:30  
2 Levandowski ever lied to you? 09:40:32  
3 A Not that I know of. 09:40:35  
4 Q Are you aware of him ever lying to anyone 09:40:40  
5 else? 09:40:43  
6 A Am I aware of him lying to anyone else? 09:40:43  
7 No. No. 09:40:47  
8 Q So to the best of your recollection, 09:40:49  
9 Anthony Levandowski has never, as far as you're 09:40:51  
10 aware, lied to anyone? 09:41:00  
11 MR. SAWYER: Objection, form. 09:41:01  
12 A I don't -- I don't personally know if 09:41:05  
13 Anthony has ever lied to anyone. 09:41:08  
14 Q Do you consider Anthony Levandowski to be 09:41:10  
15 an honest person? 09:41:12  
16 A Yeah, I would say Anthony is an honest 09:41:15  
17 person. 09:41:21  
18 Q Do you consider Anthony Levandowski to be 09:41:22  
19 an ethical person? 09:41:23  
20 A Yes, I do. Yes, I consider Anthony to be 09:41:29  
21 ethical. 09:41:33  
22 Q When Anthony Levandowski told you he did 09:41:33  
23 not have any ownership interest in the Bismuth 09:41:36  
24 Trust, you believed him, correct? 09:41:38  
25 A Yes. 09:41:40

HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL'S EYES ONLY

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09:42:24

09:42:35

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HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL'S EYES ONLY

1 [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] 09:43:09  
5 [REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] 09:43:26  
9 [REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] 09:43:48  
17 Q That would be, in fact, the first 09:43:48  
18 dishonest act that Mr. Levandowski ever did that you 09:43:51  
19 would be aware of, right? 09:43:54  
20 A Yeah. Yes. 09:43:59  
21 Q Directing your attention back to 09:44:05  
22 Exhibit 323, I want to ask you about -- let's see -- 09:44:06  
23 No. -- no. 4. It says -- 09:44:15  
24 A Sure. 09:44:18  
25 [REDACTED] 09:44:19

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6	A	Well, it's the same stuff that I	10:17:27
7		mentioned. I have talked to him about real-estate	10:17:30
8		investments. I have talked to him about Tyto. And	10:17:37
9		I know I have talked to him about Narwhal as well.	10:17:50
10		So I mean, it's -- I -- I don't recall specific	10:17:53
11		conversations, but yeah, I have touched on those	10:17:55
12		subjects regarding Sandstone investments with him.	10:17:59

13

Category	Percentage
1	85%
2	45%
3	35%
4	85%
5	75%
6	85%
7	75%
8	85%
9	85%
10	75%
11	45%
12	35%
13	75%
14	5%
15	85%
16	45%
17	35%
18	15%

10:18:53

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[REDACTED]

[REDACTED]

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[REDACTED]

10:19:01

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[REDACTED]

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10:20:38



HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL'S EYES ONLY

1 [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] 10:24:49

7 [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] 10:24:57

10 [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] 10:25:12

15 Q Has Anthony Levandowski ever asked you to 10:25:14

16 keep a secret? 10:25:16

17 A Has he ever asked me to keep a secret? 10:25:18

18 MR. SAWYER: Objection, form. 10:25:21

19 A I -- he might have. I can't recall a 10:25:25

20 secret that he has asked me to keep. 10:25:29

21 [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] 10:25:49

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